

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 21, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr
Bob Workman

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, January 14, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.ci.lincoln.ne.us>)

MOTION: Hudkins moved and Workman seconded approval of the minutes of the Board of Commissioners meeting dated January 14, 2003. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **CLAIMS:** Approval of all claims processed through Tuesday, January 21, 2003.

MOTION: Workman moved and Schorr seconded approval of all claims processed through January 21, 2003. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

4) **NEW BUSINESS:**

A. An application for a special events permit from the 2003 Animal Run to hold a fund raiser on Saturday, February 1, 2003, from 10 a.m. to 11 a.m. in Hickman, Nebraska.

MOTION: Workman moved and Stevens seconded approval of an application for a special events permit from the 2003 Animal Run to hold a fund raiser on Saturday, February 1, 2003, from 10 a.m. to 11 a.m. in Hickman, Nebraska. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

B. An application for a special events permit from Junior's Cycling Productions to hold a bicycle race around Branched Oak Lake on Saturday, April 12, 2003 from 8 a.m. to 2 p.m. The race will begin near Liebers Point on the west side of Branched Oak Lake and proceed west on Branched Oak Road, turning north on Northwest 140th Street circling the lake.

David Johnson, Deputy County Attorney, appeared and requested that any motion which the Board may make pertaining to the application be subject to the inclusion of a release of the County from any liability.

In response to a question asked by Hudkins, John Lefler, Jr., applicant, explained that the race would begin and end at Lieber's Point. He also indicated there would be an off-duty sheriff's deputy and one volunteer to enforce traffic control.

Stevens asked Lefler if he objected to any of the recommendations made by the County Engineer, Sheriff or the Health Department.

Lefler stated he would not object.

In response to a question asked by Schorr regarding an executed hold harmless agreement, Lefler responded that he was waiting on a certificate of insurance from USA Cycling Group.

4) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Stevens seconded approval of an application for a special events permit from Junior's Cycling Productions to hold a bicycle race around Branched Oak Lake on Saturday, April 12, 2003 from 8 a.m. to 2 p.m. subject to the following: 1) a release of the County from any liability, 2) execution by Junior's Cycling Productions of the hold harmless agreement, 3) compliance with conditions as outlined by the County Engineer, Sheriff and Health Department and 4) receipt of a certificate of insurance. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

C. An agreement with Child Advocacy Center to provide an environment for interviews and medical examinations of children who are suspected of being victims of child abuse in Lancaster County. The County shall pay \$20,000 for the services. The County Attorney and Sheriff's Office shall contribute equally. The term of the agreement is from October 1, 2002 to September 30, 2003. (C-03-0032)

MOTION: Hudkins moved and Stevens seconded approval of an agreement with Child Advocacy Center to provide an environment for interviews and medical examinations of children who are suspected of being victims of child abuse in Lancaster County. The County shall pay \$20,000 for the services. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

D. A grant contract with Southeast Community College for English Language Training Services to 140 refugee participants using employment related software. The funds expended were received from the Federal Targeted Assistance Grant. The County shall make a grant in the amount of \$52,891 for the services. The term of the agreement is from October 1, 2002 to September 30, 2003. (C-03-0035)

MOTION: Stevens moved and Schorr seconded approval of a grant contract with Southeast Community College for English Language Training Services to 140 refugee participants using employment related software. Heier, Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) NEW BUSINESS CONTINUED:

E. A construction and maintenance agreement with the Burlington Northern and Santa Fe Railway Company. The agreement is for the replacement of the existing Firth Road at-grade crossing and construction of a new crossing at separated grades to be known as the Firth Viaduct, designated as Project C55-X-402(5) which is located at D.O.T. Crossing 083273X, more specifically located 500 feet west of the southeast corner of Section 27, Township 7 North, Range 7 East of the 6th Prime Meridian in Lancaster County, Nebraska. The existing Firth road at-grade crossing which D.O.T. Crossing 083273X shall be closed and removed upon completion of the construction and the opening of the new overpass. The total estimated cost to the County shall be \$24,707. (C-03-0041)

This item was held at the request of the County Attorney's Office.

F. An addendum to an agreement with the State of Nebraska Probation Administration for the provision of services for the Drug Treatment Court in Lancaster County. The original agreement was under Contract C-02-0533. The addendum provides for additional compensation by the County, in the amount of \$214.16 for additional expenses in the area of cell phone usage, mileage and electronic monitoring. (C-03-0040)

MOTION: Workman moved and Stevens seconded approval of an addendum to an agreement with the State of Nebraska Probation Administration for the provision of services for the Drug Treatment Court in Lancaster County. Heier, Workman, Stevens and Schorr voted aye. Hudkins voted no. Motion carried.

G. Release of lien for satisfying the conditions of the Lincoln Action Program and the County's Housing Rehabilitation Grant Program. Mark S. and Helga T. Reynolds were granted \$3,498 for improvements to property located on Lot 38 I.Y., in the northeast quarter of Section 11, Township 7 North, Range 7 east of the 6th Prime Meridian in Holland, Lancaster County, Nebraska. The origination date was January 14, 1998. (C-03-0039)

4) **NEW BUSINESS CONTINUED:**

MOTION: Hudkins moved and Stevens seconded approval of a release of lien for satisfying the conditions of the Lincoln Action Program and the County's Housing Rehabilitation Grant Program. Mark S. and Helga T. Reynolds were granted \$3,498 for improvements to property located on Lot 38 I.Y., in the northeast quarter of Section 11, Township 7 North, Range 7 east of the 6th Prime Meridian in Holland, Lancaster County, Nebraska. Stevens, Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

H. Recommendation from the Purchasing Agent and the City-County Health Department Director to award a bid to, Response Equipment Company (REC), in the amount of \$173,892.24, for portable decontamination units. (B-03-0003)

MOTION: Hudkins moved and Workman seconded approval to award a bid to Response Equipment Company (REC), in the amount of \$173,892.24, for portable decontamination units for the City-County Health Department. Workman, Schorr, Hudkins, Stevens and Heier voted aye. Motion carried.

I. Appointment of Bob Workman to the Lincoln-Lancaster County Public Building Commission to fulfill the unexpired term of Kathy Campbell, ending July 31, 2004.

MOTION: Stevens moved and Schorr seconded approval of the appointment of Bob Workman to the Lincoln-Lancaster County Public Building Commission to fulfill the unexpired term of Kathy Campbell, ending July 31, 2004. Hudkins, Workman, Heier, Schorr and Stevens voted aye. Motion carried.

5) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. **Sheriff's Report of Fees for December, 2002.**
2. **Lincoln City Libraries Director's Report for December, 2002.**

5) CONSENT ITEMS CONTINUED:

- B. A request from Candice Poulsen, an employee at Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan, having met the requirements.
- C. A leasehold contract relating to bridge construction between the Lancaster County Engineering Department and Tom Peterson, in the amount of \$10, at North 128th Street and Agnew Road; Project BR-3380(4), Bridge A-136. (C-03-0036)
- D. Right-of-way contracts between the Lancaster County Engineering Department and the following individuals:
 - ▶ Terry Bouma, in the amount of \$5,024.85, at 703 Everett Street; Project C55-X-402(5), Firth Viaduct. (C-03-0037)
 - ▶ Robert and Victoria Rokeby, in the amount of \$21,305, at approximately North 1st Street and McKelvie Road. (This is an interlocal project with Lincoln Electric System.) (C-03-0038)

David Johnson, Deputy County Attorney, requested that Consent Item 5B be removed for discussion.

MOTION: Hudkins moved and Stevens seconded approval of the Consent Items, with the exception of Item 5B. Schorr, Heier, Stevens, Workman and Hudkins voted aye. Motion carried.

Johnson referred to Consent Item 5B and requested that the Clerk be directed to reschedule the item for Tuesday, February 25, 2003. He explained that the individual will not meet the requirements for voluntary participation until after February 22, 2003.

By direction of the Chair, the request from Candice Poulsen, an employee at Lancaster Manor, to voluntarily participate in the Lancaster County Retirement Plan will be rescheduled for Tuesday, February 25, 2003.

6) **ADJOURNMENT:**

MOTION: Workman moved and Hudkins seconded adjournment of the Board of Commissioners meeting at 1:50 p.m. Hudkins, Schorr, Stevens, Heier and Workman voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 21, 2003
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Chair
Ray Stevens, Vice Chair
Larry Hudkins
Deb Schorr
Bob Workman

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 1:51 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, January 14, 2003. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Stevens moved and Hudkins seconded approval of the minutes of the Board of Equalization meeting dated January 14, 2003. Schorr, Hudkins, Workman, Heier and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

- 3) **ADDITIONS AND DEDUCTIONS:**

Approval of 29 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Hudkins moved and Workman seconded approval of the additions and deductions to the tax assessments rolls. Stevens, Workman, Heier, Schorr and Hudkins voted aye. Motion carried.

4) MOTOR VEHICLE TAX EXEMPTIONS:

BryanLGH Medical Center
Calvary Cemetery and Mausoleum
The Catholic Bishop of Lincoln (2 exemptions)
Christian Record Services, Inc.
Evangelical United Lutheran Church
Goodwill Industries Serving Southeast Nebraska
Nebraska Annual Conference of the United Methodist Church
Our Lady of Guadalupe Seminary, a division of the Priestly Fraternity of
St. Peter
St. Monica's.
St. Patrick's Catholic Church
Southeast Nebraska Mobile Diagnostic Services, Inc.
Transfiguration, Inc.
Union College
YWCA of Lincoln

MOTION: Workman moved and Stevens seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr, Stevens and Heier voted aye. Motion carried.

5) NOTICE OF VALUATION CHANGE FOR OMITTED OR UNDERVALUED PROPERTY FOR THE FOLLOWING:

James Krupicka

Norm Agena, County Assessor/Register of Deeds, explained that there was an improvement listed on the incorrect parcel of land. He recommended a new value of \$134,353 for 2002.

MOTION: Workman moved and Stevens seconded to accept the County Assessor/Register of Deed's recommendation and set a new value of \$134,353 for 2002 for James Krupicka. Hudkins, Stevens, Workman, Heier and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded adjournment of the Board of Equalization meeting at 1:55 p.m. Stevens, Workman, Schorr, Hudkins and Heier voted aye. Motion carried.

Bruce Medcalf
County Clerk